



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 4010-99
28 September 1999



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 23 September 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you were evaluated by a medical board on 9 June 1998, and given a diagnosis of reactive airway disease, existed prior to entry (EPTE), not aggravated by service. According to the medical board report, you had been prescribed an Albuterol inhaler prior to enlisting, for what was thought to be an allergic reaction. On 17 July 1998, the Physical Evaluation Board made preliminary findings that you were unfit for duty because of the reactive airway disease, which was not rated because it was classified as EPTE, not service aggravated. You accepted those findings on 10 August 1998, and you were discharged without entitlement to disability benefits administered by the Department of the Navy.

In the absence of evidence which demonstrates that your condition was incurred in or aggravated by your service in the Marine Corps, the Board was unable to recommend any corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director